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HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.

AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION September 8, 2006

TO: MAIL STOP: PETITIONS

FROM: CURTIS B. HAMRE

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

OUR REF: 13425.0070USWO

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 17

PTO FAX NUMBER: 571.273.8300

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Title of Document: PETITION FOR WITHDRAWAL OF NOTICE OF  
ABANDONMENTApplicant: NAKAMURA et al.  
Serial No.: 10/537,640  
App. Filed: June 6, 2005Please charge \$150 for the PETITION FOR WITHDRAWAL OF NOTICE OF  
ABANDONMENT fee and any additional fees or credit overpayment to Deposit  
Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF  
TIME for a sufficient number of months to enter these papers, if appropriate.

By:

Name: Curtis B. Hamre

Reg. No.: 29,165

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark  
Office on the date shown below.

Ralynn Wilhelm

Signature

September 8, 2006

Date

225 SOUTH SIXTH STREET, SUITE 2650 • MINNEAPOLIS • MN 55402  
TEL 612.455.3800 • FAX 612.455.3801  
WWW.HSML.COM • MAIL@HSML.COM

S/N 10/537,640

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NAKAMURA et al.

Serial No.: 10/537,640

Group Art Unit: Unknown

Filed: June 6, 2005

Docket No.: 13425.0070USWO

Title: COVER-MOUNTING STRUCTURE OF PLASTIC CONTAINER

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CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 8, 2006.

By: R. Wilhelm  
Name: RALYNN WILHELMPETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENTMail Stop: PETITIONS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant petitions to have the Notice of Abandonment dated August 9, 2006, withdrawn in accordance with 37 C.F.R. 1.8 (b).

The submission of Missing Requirements was submitted to the United States Patent office on December 2, 2005, as attested to by the affidavit. The USPTO received the submission as evidenced by the confirmation transmission from the U.S. Patent and Trademark Office. Copies of these papers are transmitted herewith:

1. Affidavit of Antonette Peters
2. Auto-reply Facsimile Transmission from the USPTO
3. Missing requirement documents that were transmitted on December 2, 2005.

Please charge the \$130 for the petition fee to deposit account no. 50-3478. Please charge any additional fees or credit overpayment to deposit account no. 50-3478.

**52835**

PATENT TRADEMARK OFFICE

Respectfully submitted,

Hamre, Schumann, Mueller & Larson, P.C.  
P.O. Box 2902  
Minneapolis, MN 55402  
(612)455.3800By: Curtis B. Hamre  
Curtis B. Hamre  
Reg. No. 29,165

Dated: September 8, 2006

S/N 10/537,640

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 08 2006

Applicant: NAKAMURA et al.

Serial No.: 10/537,640

Group Art Unit: Unknown

Filed: June 6, 2005

Docket No.: 13425.0070USWO

Title: COVER-MOUNTING STRUCTURE OF PLASTIC CONTAINER

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 8, 2006.

By: R. Wilhelm

Name: RALYNN WILHELM

AFFIDAVITMail Stop: PETITIONS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

52835

PATENT TRADEMARK OFFICE

Dear Sir:

I, Antonette Peters swear that I transmitted the Missing Requirements (Combined Declaration and Power of Attorney) for the above mentioned matter by facsimile on December 2, 2005.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 08 day ofSeptember, 2006.Antonette Peters

STATE OF

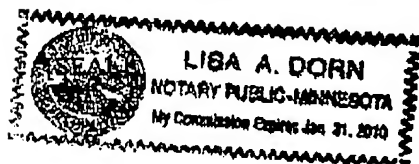
Minnesota

) ss.

COUNTY OF

HennepinOn this 8 day of September, 2006 before me personally appeared Antonette Peters to me

known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

Lisa A. Dorn  
Notary Public



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,640	Shoji Sato	13425.70USWO
INTERNATIONAL APPLICATION NO.		
PCT/JP03/15599		
1A. FILING DATE	PRIORITY DATE	
12/05/2003	12/06/2002	

52835  
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.  
P.O. BOX 2902  
MINNEAPOLIS, MN 55402-0902

CONFIRMATION NO. 6367

371  
ABANDONMENT/TERMINATION  
LETTER

\*06000200019863695\*

Date Mailed: 08/09/2006

Rev. Appln 9/9/2006

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 10/06/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

## PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

PROLAW

USPTO 12/2/2005 3:36 PM PAGE 1/001 Fax Server  
 TO: Auto-reply fax to 612-455-3801 COMPANY:

## Auto-Reply Facsimile Transmission



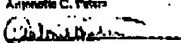


TO: Fax Sender at 612-455-3801  
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Received  
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 Page

=====>

13022005 1249		612.455.3801		HSMIL, P.C. (fax)		PAGE 1/1	
 <b>HAMRE, SCHUMANN,          MUELLER &amp; LARSON, P.C.</b> <small>AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM</small>							
FAX TRANSMISSION December 2, 2005							
TO: Mail Stop: PCT Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450				FROM: Curtis B. Hamre CUR REF: 13425.0070.0350 TELEPHONE: (612) 455.3800			
Total pages, including cover letter: 11							
PTO FAX NUMBER: 571.273.1201							
If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.							
Title of Document: Communication Regarding Submission of Missing Requirements, Associated Combined Declaration and Cover of Attorney							
Applicant: NAKAMURA et al. Serial No.: 10/37,449 App. Filed: June 6, 2005							
Please charge Deposit Account No. 50-8478 in the amount of \$190 for Submission of Missing Requirements. Please charge any additional fees or credit overpayment to Deposit Account No. 50-8478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to clear these papers, if appropriate.							
				By:  Name: Curtis B. Hamre Reg. No.: 29,165			
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.							
Appointed C. Peters  Signature				Dec. 2, 2005 Date			
<small>25 AUGUST 2005 11:45 AM FAXED FROM 612-455-3800 TO 571-273-1201 FAXED FROM 612-455-3800 TO 571-273-1201</small>							

## TRANSMISSION VERIFICATION REPORT

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 FAX : 612-455-3801  
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12/02/2005 13:45

612.455.3801

HSML, P.C. (acp)

PAGE 1/11



**HAMRE, SCHUMANN,  
 MUELLER & LARSON, P.C.**  
 AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

**FAX TRANSMISSION December 2, 2005**

**TO:** Mail Stop: PCT  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

**FROM:** Curtis B. Hamre

**OUR REF:** 13425.0070USWO

**TELEPHONE:** (612) 455.3800

**Total pages, including cover letter: 11**

**PTO FAX NUMBER: 571.273.3201**

**If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.**

**Title of Document:** Communication regarding Submission of Missing Requirements,  
 executed Combined Declaration and Power of Attorney

**Applicant:** NAKAMURA et al.  
**Serial No.:** 10/537,640  
**App. Filed:** June 6, 2005

**Please charge Deposit Account No. 50-3478 in the amount of \$130 for Submission of Missing Requirements. Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.**



# HAMRE, SCHUMANN, MUELLER & LARSON, P.C.

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FAX TRANSMISSION December 2, 2005

TO: Mail Stop: PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

FROM: Curtis B. Hamre

OUR REF: 13425.0070USWO

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 9

PTO FAX NUMBER: 571.273.3201

If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.

Title of Document: **Communication regarding Submission of Missing Requirements,  
executed Combined Declaration and Power of Attorney**


Applicant: NAKAMURA et al.  
Serial No.: 10/537,640  
App. Filed: June 6, 2005

Please charge Deposit Account No. 50-3478 in the amount of \$130 for Submission of Missing Requirements. Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Curtis B. Hamre  
Name: Curtis B. Hamre  
Reg. No.: 29,165

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Antonette C. Peters

  
Signature

Dec 2 2005  
Date

225 SOUTH SIXTH STREET • SUITE 2650 • MINNEAPOLIS • MN 55402  
TEL 612.455.3800 • FAX 612.455.3801  
WWW.HSML.COM • MAIL@HSML.COM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,640	Shoji Sato	13425.70USWO

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/JP03/15599

I.A. FILING DATE	PRIORITY DATE
12/05/2003	12/06/2002

52835  
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.  
P.O. BOX 2902-0902  
MINNEAPOLIS, MN 55402

MR. 12/1/05  
MR. 1/06/06  
MR. Stat. 4/06/06

Date Mailed: 10/06/2005

CONFIRMATION NO. 8367

371 FORMALITIES LETTER

10/06/2005 10:00:00 AM  
\*OC000000017182923\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- English Translation of the IA filed on 06/08/2005
- Copy of the International Search Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- Information Disclosure Statements filed on 06/06/2005
- Request for Immediate Examination filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

**PROLAW**



- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,640	PCT/JP03/15599	13425.70USWO

FORM PCT/DO/EO/905 (371 Formalities Notice)

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S/N 10/537,640

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NAKAMURA Serial No.: 10/537,640  
Filed: June 6, 2005 Docket No.: 13425.0070USWO  
Title: COVER-MOUNTING STRUCTURE OF PLASTIC CONTAINER

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 2, 2005.

By:   
Name: Antonette C. PetersSUBMISSION OF MISSING REQUIREMENTS

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

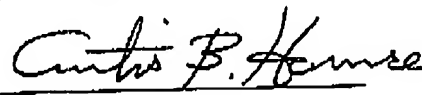
In connection with the above-identified application, enclosed please find the originally signed Combined Declaration and Power of Attorney. Please charge Deposit Account No. 50-3478 in the amount of \$130.00 to cover the Missing Requirements completion fee.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902-0902  
Minneapolis, MN 55402-0902  
(612) 455-3800

Dated: December 2, 2005

By:



Curtis B. Hamre  
Reg. No. 29,165  
CBH/acp

# COPY

Attorney Docket No.

HAMRE, SCHUMANN, MUELLER &amp; LARSON, P.C.

## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COVER-MOUNTING STRUCTURE OF PLASTIC CONTAINER

The specification of which

- a. ☐ is attached hereto  
b. ☐ was filed on \_\_\_\_\_ as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/IP03/015599 filed 05, December, 2003 and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☐ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Japan	2002-355459	06 December 2002	
Japan	2002-355462	06 December 2002	
Japan	2003-002888	09 January 2003	
Japan	2003-146032	23 May 2003	
Japan	2003-180860	25 June 2003	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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